

the TyCom Action to settle all claims asserted or that could have been asserted in the TyCom Action. The agreement requires Mr. Kozlowski to pay \$45,000 to plaintiffs in the TyCom Action.

3. Mr. Kozlowski therefore respectfully seeks a modification of the Preliminary Injunction Order to permit Mr. Kozlowski to transfer \$45,000 to counsel for plaintiffs in the TyCom Action, separate from and in addition to any and all other transfers permitted under the Preliminary Injunction Order.

4. Plaintiffs/Counterclaim Defendants Tyco International Ltd. and Tyco International (U.S.) Inc. have assented to the relief requested.

WHEREFORE, L. Dennis Kozlowski respectfully requests this Honorable Court grant the following relief:

A. Modify the Preliminary Injunction Order to permit Mr. Kozlowski to transfer \$45,000 to counsel for plaintiffs in the TyCom Action, separate from and in addition to any and all other transfers permitted under the Preliminary Injunction Order; and

B. Grant such other relief as may be just.

Dated: January 13, 2011
New York, New York

Respectfully submitted,

/s/ [Robert N. Shwartz]

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